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SUBJECT: EU Envoy Tempers Optimism on Montenegro

Referendum - Looks for U.S. Support

1. (SBU) Summary: Preparations for the Montenegrin referendum are slowly progressing, but the two sides remain far apart on key modalities. After a month of talks, little has been decided, but discussions will begin to quicken as pro-Independence and pro-Union forces hopefully resolve the less complicated rules by the end of January. Nonetheless, critical issues, such as the date, required majority, and form of the question, will challenge all sides--and the EU envoy--to reach an acceptable compromise. End Summary.

2. (SBU) Ambassador Miroslav Lajcak, the EU envoy responsible for facilitating preparation of the Montenegrin referendum, met with the Ambassador on January 25 to discuss his progress. After a month on the job, Lajcak was less optimistic than previously about reaching an accord between the pro-Independence and pro-Union sides. He said that the Montenegrin government does not trust him or the opposition and the pro-Union forces are making some unrealistic demands e.g. a power sharing arrangement at all levels. He added that, "if it wasn't for us, they wouldn't agree on anything." Additionally, Serbian Prime Minister Kostunica told Lajcak that Belgrade would work on behalf of the opposition and could not remain neutral. [Embassy Comment: Vladeta Jankovic, Kostunica's point man on the referendum, told poloff that he expects the Serbian Orthodox Church to use its resources to fight against independence and support Serb interests in Montenegro. End Comment].

3. (SBU) Lajcak said that the three key issues will be the date, percent of voters required to approve the ballot, and wording of the question. On the majority needed to approve the ballot, Lajcak is considering two proposals: a winner-take-all, two question format and a 55 percent supermajority. He noted, however, that the earlier could be contentious if the margin of victory is close, while the latter would guarantee at least a 10 percent victory margin and discourage an opposition boycott. He did not discuss the potential wording of the question(s), although said that he planned to begin discussions with the two sides the week of February 2. He admitted that it was unlikely that the two sides would agree on all these issues, however, and concluded that "most critical issues will need to be imposed because the two sides will never agree." The EU was looking to U.S. support when it came to applying the necessary pressure.

4. (SBU) Lajcak highlighted the progress he is making and next steps. He said that the Montenegrin government was playing by the rules and was making concessions. He said that the opposition, other than the Serbian Peoples Party, was also engaging in talks in good faith. In response to his request on the referendum's key questions, both sides submitted well-written responses. Next week, Lajcak intends to provide the two sides with his analysis of their responses and request more specific reactions. He also plans to submit a proposal on the less controversial rules (such as media access and observation), on which he expects agreement.

5. Comment: Lajcak will need to rapidly accelerate progress in order to bridge the sizable gulf between both sides' positions in order to reach an accord within the short time span (measured in weeks) allotted for talks. We will stay in close touch with Lajcak and his team. During the Ambassador's upcoming visit to Montenegro, we will probe the status of the discussions further and support any reasonable EU approach

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